REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-39 remain in this application. Claims 1, 6, 7, 8, 12, 22, 24, 25, 26, 27, 29, 30, 31, and 39 have been amended.

II. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 1-7, 10, 20-26 and 29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,530,085 to Perlman in view of U.S. Patent 6,476,947 to Harvey and U.S. Patent 6,380,984 to Inoue. The rejection is respectfully traversed.

Claim 1 appears as follows:

> 1. A method for providing control of a set-top box with infrared (IR) signals, comprising the steps of:
>
> generating an IR control packet from a first IR control entry of an IR control database residing on a local mass storage system in a set-top unit, wherein said IR control database contains a plurality of IR control entries;
>
> controlling said set-top box with said IR control packet; and
>
> wherein said set-top unit stores video and/or audio content received from said set-top box on said local mass storage system.

Applicant notes that the Office Action has not interpreted the elements cited in Claim 1 in their entirety. Specifically, Claim 1 states "wherein said set-top unit stores

video and/or audio content received from said set-top box on said local mass storage system." The Office Action ignores the wording of the cited element in relation to the other claimed elements and overlooks that the Claim 1 cites that the set-top unit **controls** the set-top box and stores video and/or audio content **received** from the set-top box.

> "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

The Office Action cites Inoue as storing video data "for the advantage of utilizing the large storage capacities hard drives offer" and "for the advantage of providing a convenient viewing experience by allowing the user to view programming at a time of their choosing." However, Inoue does not teach or disclose storing video and/or audio content received from a set-top box. Inoue's receiver system is a self-contained unit that receives a digital television signal, descrambles the digital signal, decodes the digital signal, and converts the resulting video signal to an analog video signal of the NTSC format. Inoue's receiver is a set-top box that the invention claimed in Claim 1 controls and stores video and/or audio content received from the set-top box. Therefore, Inoue teaches away from the invention claimed in Claim 1 by teaching that a digital television receiver receives digital television signals and outputs analog video signals in NTSC format. (Col. 2, line 7-col. 3, line 14)

Further, neither Perlman nor Harvey teach or disclose a system wherein said set-top unit stores video and/or audio content received from said set-top box on said local mass storage system as cited in Claim 1. Perlman and Harvey make no mention of such a feature and therefore do not contemplate such a feature.

To combine Perlman and Harvey with Inoue as the Office Action suggests would result in a receiver that receives digital television signals and outputs analog video signals in NTSC format and has no need to control another set-top box and therefore has no need for Perlman and Harvey's systems.

Therefore, Perlman in view of Harvey and Inoue does not teach or disclose the invention as claimed.

Claim 1 is in allowable condition. Claim 20 is similarly allowable. Claims 2-7, 10, and 21-26, 29, are dependent upon independent Claims 1 and 20, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

III. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 8, 9, 13-19, 27, 28 and 32-38 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,530,085 to Perlman in view of U.S. Patent 6,476,947 to Harvey and U.S. Patent 6,380,984 to Inoue in further view of U.S. Patent 6,239,718 to Hoyt. The rejection is respectfully traversed.

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments regarding Claims 1 and 20, above. Claims 8, 9, 13-19, and 27, 28, 32-38, are dependent upon independent Claims 1 and 20, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

IV. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 11, 12, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,530,085 to Perlman in view of U.S. Patent

6,476,947 to Harvey and U.S. Patent 6,380,984 to Inoue in further view of U.S. Patent 6,057,874 to Michaud.

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments regarding Claims 1 and 20, above. Claims 11, 12, and 30, 31, are dependent upon independent Claims 1 and 20, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

V. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claim 39 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,530,085 to Perlman in view of U.S. Patent 6,476,947 to Harvey, U.S. Patent 6,380,984 to Inoue, U.S. Patent 6,057,874 to Michaud and U.S. Patent 6,081,855 to DeCarmo. The rejection is respectfully traversed.

Claim 39 appears as follows:

> 39. A system for controlling a set-top box with an IR signal, comprising:
>
> an IR control database residing on a local mass storage system in a set-top unit;
>
> wherein said set-top unit stores video and/or audio content received from said set-top box on said local mass storage system;
>
> a module for receiving an IR control entry to create a received IR control entry;
>
> a module for inserting said received IR control entry into said IR control database to create a first IR control entry of said IR control database;
>
> a module for generating an IR control packet from a first IR control entry of said IR control database;

a module for controlling said set-top box by serial transmission of said IR control packet;

a raw IR control library residing on said mass storage system, wherein said raw IR control library contains a first raw IR control entry;

a module for parsing said first raw IR control entry of said raw IR control library to create a processed first IR control entry;

a module for communicating said processed first IR control entry to create said first IR control entry of said IR control database;

a corrections-additions database residing on said mass storage system, wherein said corrections-additions database contains a first correction data entry; and

a module for parsing said first correction data entry and said first raw IR control entry to create said processed first IR control entry, wherein said IR control database contains at least one IR control entry.

Claim 39 is allowable in the same manner as Claims 1 and 20 with regard to combining Perlman, Harvey, and Inoue. Further, neither Perlman nor Harvey, nor Inoue, nor Michaud, nor DeCarmo teach or disclose a system wherein said set-top unit stores video and/or audio content **received** from said set-top box on said local mass storage system and controlling said set-top box by serial transmission of said IR control packet as cited in Claim 39.

Therefore, Perlman in view of Harvey, Inoue, Michaud, and DeCarmo does not teach or disclose the invention as claimed.

Claim 39 is in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

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VI. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

The Examiner is invited to telephone the undersigned at (408) 414-1080 ext. 214 to discuss any issue that may advance prosecution.

No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. 1 (571) 273-8300.

on April 18, 2007 By _____
Kirk Wong